

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Crim. No. 22-365 DHU

JOEL RUIZ,

Defendant.

DEFENDANT’S PROPOSED STATEMENT OF THE CASE¹

COMES NOW, Mr. Ruiz, by and through his counsel of record, Noah Gelb and Emily P. Carey, Assistant Federal Public Defenders, and hereby submits his proposed statement of the case.

PROPOSED STATEMENT:

In this case, the United States accuses Joel Ruiz with two counts of Aggravated Sexual Abuse against two children who it claims had not yet attained the age of twelve (12). One count involves Jane Doe 1, and the second count involves Jane Doe 2. The United States alleges that these crimes occurred within the exterior boundaries of the Jicarilla Apache Nation.

Specifically, with respect to Jane Doe 1, the United States alleges that on one occasion between January 27, 2016 and January 27, 2020, Mr. Ruiz touched, not through the clothing, Jane Doe 1’s vagina. With respect to Jane Doe 2, the United States alleges that on one occasion between February 13, 2013 to February 13, 2016, Mr. Ruiz touched, not through the clothing, Jane Doe 2’s vagina.

¹ Counsel for Mr. Ruiz apologizes to the Court for this late filing. This document has been drafted since September 8, 2023, but counsel only realized today that it was never properly filed on the docket. Mr. Ruiz is opposed to the statement offered by the United States because of the conclusory and inflammatory language. (Doc. 116). That document is erroneously labeled as a “joint” statement. He asks the Court to consider this alternative.

Mr. Ruiz has pleaded not guilty to the charges against him, and he is presumed innocent of these charges. The United States has the burden of proving that Mr. Ruiz is guilty of each element of each of the two counts beyond a reasonable doubt, and if it fails to do so, you must find Mr. Ruiz not guilty.

Respectfully Submitted,

FEDERAL PUBLIC DEFENDER

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Electronically filed January 14, 2024

/s/ Emily P. Carey

Assistant Federal Public Defender

electronically filed January 14, 2024

/s/ Noah Gelb

Assistant Federal Public Defender